

issues (*see* Joint Motion to Reopen Limited Discovery, Docket No. 56). On May 30, 2014, the Court granted Plaintiffs' and the Coach Defendants' Joint Motion to Reopen Limited Discovery for the purpose of investigating the allegations in the Anonymous Email, including whether relevant information has been produced and preserved by the Coach Defendants (*see* Order granting Joint Motion for Limited Discovery, Docket No. 57). On June 30, 2014, Plaintiffs and the Coach Defendants updated the Court on the status of this additional, limited discovery and committed to providing a further status report by September 26, 2014 (*see* Joint Status Report Regarding Reopened Limited Discovery, Docket No. 83).

3. Discovery relating to these issues continues to progress on multiple tracks. Plaintiffs and Coach Defendants have served discovery requests and responses on one another.

4. With respect to the 87 Coach backup tapes obtained from a non-party, Plaintiffs and the Coach Defendants have worked together to arrive at a mutually acceptable process for indexing the tapes and identifying any relevant, responsive documents that were not previously produced to Plaintiffs. The Coach Defendants have conducted electronic word searches requested by the Plaintiffs on selected electronic files from these tapes and have been reviewing for responsiveness the documents identified by those searches. The Coach Defendants produced the first installment of documents from these backup tapes on September 12, 2014, and expect to complete their productions by October 3, 2014, with the exception of working through potential privilege issues on a small number of documents.

5. In addition, the Coach Defendants have conducted further searches and identified an additional six backup tapes which have been indexed. Responsive documents from these tapes are being produced in conjunction with production from the 87 backup tapes obtained from a non-party. The Coach Defendants have also identified and produced additional responsive

documents that were not previously produced to Plaintiffs relating to Coach's backup policies and procedures.

6. The Coach Defendants are continuing to work on responses to discovery requests by Plaintiffs. For example, in addition to completing the document production discussed above, the Coach Defendants have committed to provide Plaintiffs with a description of Coach's efforts to identify and collect documents in response to the compulsory process issued by Plaintiffs, as called for in Plaintiffs' interrogatories. Similarly, the Coach Defendants have yet to produce a privilege log or complete their determination of certain privilege issues. The parties are working together in an effort to resolve these outstanding issues.

7. Plaintiffs have noticed the depositions of four current Information Technology employees, each of whom has retained individual counsel. Plaintiffs are working with counsel for each of these employees to schedule the depositions.

8. Coach Defendants served deposition subpoenas on two former Information Technology employees of Coach USA. The dates for these depositions have not yet been determined.

9. The parties propose to advise the Court of the parties' progress in completing this limited discovery by December 15, 2014.

Dated: September 26, 2014

Respectfully submitted,

/s

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the Joint Status Report Regarding Reopened Limited Discovery to be served via the Court's ECF System upon the following

Parties:

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Dated: September 26, 2014

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